

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6803
BILL NUMBER: SB 210

DATE PREPARED: Dec 16, 1998
BILL AMENDED:

SUBJECT: Merging for road construction zone.

FISCAL ANALYST: James Sperlik
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FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill amends definition of "worksite" to include certain lanes of a highway leading up to an area upon which construction or maintenance activity is being performed on the highway. It provides that after being directed by a sign to merge into another lane because of a worksite, a person who drives a vehicle may not pass another vehicle within the posted no passing zone established by the Indiana Department of Transportation. The bill provides that a violation is a Class C infraction and may be subject to an additional fee.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: If additional court cases occur, revenue to the State General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500 which is deposited in the State General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in State General Fund if the case filed in a court of record or 55% if the case is filed in a city or town court.

If the criminal action or infraction involves a traffic violation, including this proposed offense, a highway work zone fee of either 50 cents or \$25.50 is assessed. There will be additional revenue from the fee assessed for failure to merge. The revenue generated from this fee is indeterminable and will depend upon the number of such violations.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive

27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.(2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: